

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WESTERN PENNSYLVANIA  
CONCILIATION CONFERENCE MINUTES

**Conciliation Conference:**

Debtor: THEODORE GABRIEL & KIMBERLY LYNN MARTINEZ  
Case Number: 19-24273-TPA Chapter: 13  
Date / Time / Room: THURSDAY, JANUARY 30, 2020 01:00 PM 3251 US STEEL  
Hearing Officer: CHAPTER 13 PGH TRUSTEE

**Matter:**

#28 Amended Plan dated 1/30/20 N  
R / M #: 0 / 0

**Appearances:**

Debtor:  
Trustee: Winnecour /  Pail /  Katz /  DeSimone  
Creditor:

Lowden

**Proceedings:**

CONFIRMATION ORDER TO BE SUBMITTED

Recommended Outcome:

1.  Case Converted to Chapter 7
2.  Case Converted to Chapter 11
3.  Case Dismissed without Prejudice
4.  Case Dismissed with Prejudice
5.  Debtor is to inform Court within \_\_\_\_\_ days their preference to Convert or Dismiss
6.  The plan payment/term is increased/extended to \_\_\_\_\_, effective \_\_\_\_\_.
7.  Plan/Motion continued to \_\_\_\_\_ at \_\_\_\_\_.
  
8.  An Amended Plan is to be served on all creditors and certificate of service filed by \_\_\_\_\_.  
Objections are due on or before \_\_\_\_\_.  
A hearing on the Amended Plan is set for \_\_\_\_\_ at \_\_\_\_\_.
  
9.  Contested Hearing: \_\_\_\_\_ at \_\_\_\_\_.  
10.  Other: \_\_\_\_\_

**For Judge Agresti cases:**

Student Loan Debt: If the pro rata or timing of the proposed plan payment on student loan debt differs in any respect to that of the unsecured debt in the case, describe such differences and reasons for disparate treatment: \_\_\_\_\_

FILED

FEB 01 2020

CLERK, U.S. BANKRUPTCY COURT  
WEST DIST. OF PENNSYLVANIA

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WESTERN PENNSYLVANIA  
PROPOSED CONFIRMATION ORDER

Conciliation Conference:

Debtor: THEODORE GABRIEL & KIMBERLY LYNN MARTINEZ  
Case Number: 19-24273-TPA Chapter: 13  
Date / Time / Room: THURSDAY, JANUARY 30, 2020 01:00 PM 3251 US STEEL  
Chapter 13 Plan Dated: 10/31/19  
Next Hearing Date and Time: 5/7/20 9:00

*The Parties, including the Debtor(s) and the Attorney for the Debtor(s), if any, hereby agree as follows:*

(1) No Changes to standard confirmation order.

(2) Changes to the standard Confirmation Order as indicated

A. For the remainder of the Plan Term, the Plan payment is amended to be \$ \_\_\_\_\_ as of \_\_\_\_\_. Debtor(s)' counsel shall file a motion to amend the income attachment order within five (5) days of the date of this Order.

B. The length of the Plan is increased to a total of \_\_\_\_\_ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.

C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees.

D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under 11 U.S.C. 506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. 507, and all objections to claims.

E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

F. \_\_\_\_\_ shall be paid monthly payments of \$ \_\_\_\_\_ beginning with the Trustee's \_\_\_\_\_ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the fifth distribution level.

G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the debtor(s) successfully objects to the claim:  
*Toyota (CL# 1)*

H. Additional Terms:

Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

Motion to Amend/Modify Plan resolved and all Objections to Plan withdrawn upon entry of Confirmation Order.

The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms; *at payments computed by Trustee;*

*Clearview FUU (CL# 4-2, 5 & 6)*

*Dollar Bank (CL# 7) shall be paid on an interest-Bearing principal of \$20,236.14 at 2.99% ~~2.99~~ non-interest bearing*